



San Diego City Attorney MICHAEL J. AGUIRRE

MEDIA ADVISORY

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AGUIRRE RELEASES REPORT DOCUMENTING LEGAL FOUNDATION SUPPORTING THE CITY ATTORNEY AS LEGAL COUNSEL FOR THE PENSION BOARD

DATE AND TIME: Wednesday, February 22, noon

**LOCATION: City Hall Press Room, 202 C Street, 13th floor,
Downtown San Diego**

San Diego City Attorney Michael Aguirre will release a report that documents the legal arguments supporting his contention that the City Attorney is the Chief Legal Advisor to the San Diego City Employees' Retirement System (SDCERS).

The City Attorney will also hold a community forum tonight entitled "Chief Legal Advisor to the Retirement System." The meeting is an effort to better inform the public regarding the City Attorney's viewpoint that the independent Office of the City Attorney is empowered by the City Charter to serve as Chief Legal Advisor to SDCERS. The forum will be held 6 p.m., City Council Chambers, 202 C Street, 12th Floor, downtown.

Last week, the City Attorney appeared before San Diego Superior Court Judge Jeffrey B. Barton and presented his oral argument on this issue. As a result, the Judge has taken the matter under submission and will issue a final decision the week of March 6.

The issue of who is the chief legal advisor is in litigation after City Attorney Aguirre terminated a 1998 memorandum of understanding by his predecessor, which gave SDCERS authority to hire its own attorney. On December 15, 2004, City Attorney Aguirre ended the agreement, but SDCERS sued the City Attorney to prevent him from reasserting his role as the independent attorney for the Retirement System. ###